

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY
LITIGATION

Civil Action No. 3:16-md-2738-FLW-
LHG

MDL No. 2738

**CASE MANAGEMENT ORDER NO. 4
(Answers and Responsive Pleadings)**

IT IS HEREBY ORDERED, with consent of all Parties:

1. By April 13, 2017, the Johnson & Johnson Defendants and Imerys shall file on the master docket, 3:16-md-2738, a Master Long Form Answer to Plaintiffs' Amended Master Long Form Complaint setting forth Defendants' Affirmative Defenses. If necessary, within 15 days after an Order resolving its Omnibus Motion to Dismiss, defendant Personal Care Products Council shall file on the master docket, 3:16-md-2738, a Master Long Form Answer to Plaintiffs' Amended Master Long Form Complaint.

2. For each case pending in this MDL as of the date of this Order with which Defendants have been or will be served a Short Form Complaint as required by CMO 3, Defendants shall have twenty-one (21) days from the date of service of


the Short Form Complaint to file a Notice of Appearance. The Notice of Appearance shall be deemed a denial of all allegations in Plaintiff's Short Form Complaint.

3. For each case filed in or transferred to the MDL after the date of this Order, Defendants shall have twenty-one (21) days from the date of service of Plaintiff's Short Form Complaint to file a Notice of Appearance. The Notice of Appearance shall be deemed a denial of all allegations in Plaintiff's Short Form Complaint.

4. After the filing of the Notice of Appearance, the requirements of Fed. R. Civ. P. 15 shall attach for any amendments of the Short Form Complaint and the requirements of Fed. R. Civ. P. 41(a) shall attach for a voluntary dismissal such that any dismissal shall occur only upon a stipulation of dismissal signed by all parties who have appeared or by Court Order after a properly noticed motion.

5. Other than the Master Long Form Answer and the Notice of Appearance set out above, Defendants' obligation to file any responsive pleading to a Complaint that is filed in or transferred to this proceeding is hereby stayed until further Order of the Court. The filing of the Notice of Appearance incorporates all defenses raised by the Defendant in its Master Answer to the controlling Master Complaint or any pending Motion to Dismiss the Master Complaint and preserves Defendants' right to file any motion pursuant to Fed. R. Civ. P. 12, consistent with paragraph D of CMO 2, Direct Filing Order.

This the 27th date of March, 2017.



Hon. Freda L. Wolfson, U.S.D.J.